

Remarks

Claims 1-17 are currently pending. The Examiner has required a restriction of the pending claims to one of the following groups:

- I. Claims 1-11, drawn to a recombinant plasmid AAV vector, comprising an HO-1 gene; a cell strain containing said vector; an AAV virus produced from said vector; and a process of producing recombinant AAV virus containing the HO-1 gene by transfecting a host cell with said vector or said AAV virus, and a method of mediating HO-1 gene expression, comprising administering an effective amount of a recombinant AAV vector.
- II. Claims 12-13, drawn to a method of preventing chronic post-transplant rejection, comprising administering an effective amount of recombinant AAV/HO-1 virus.
- III. Claims 14-17, drawn to a method of preventing chronic post-transplant allograft rejection, comprising recombinant AAV-mediated HO-1 gene expression in grafts.
- IV(i). Claim 17, drawn to a method of preventing chronic post-transplant allograft rejection, comprising a gene delivery method for HO-1 gene expression in grafts, together with a substance.
- IV(ii). Claim 17, drawn to a method of preventing chronic post-transplant allograft rejection, comprising a protein delivery method for HO-1 expression in grafts.
- IV(iii). Claim 17, drawn to a method of preventing chronic post-transplant allograft rejection, comprising a protein delivery method for HO-1 expression in grafts, together with a substance.
- IV(iv). Claim 17, drawn to a method of preventing chronic post-transplant allograft rejection, comprising using a substance for the induction of stable HO-1 expression.

Interview with the Examiner

The undersigned thanks Examiner Sajjadi for his time on November 21, 2005 to discuss this Restriction Requirement. During this interview, the undersigned was informed that claim 14, originally missing from the Requirement for Restriction mailed November 2, 2005, is part of Invention Group III. Additionally, Examiner Sajjadi stated that no species election is required for a

proper response to the Requirement for Restriction and that the first 6 complete paragraphs on page 5 of the Restriction Requirement should have been deleted before mailing.

Invention Group Election

Applicant hereby elect to prosecute the claims of Invention Group I (claims 1-11) for continued examination.

The present election is made without prejudice or disclaimer. Applicants specifically reserve the right to pursue all non-elected subject matter in one or more divisional applications. Furthermore, Inventions I- IV(i) are related as product and process of use. Applicants reaffirm that if a product claim is subsequently found allowable, withdrawn process claims that depend from or otherwise include all of the limitations of the allowable product claim will be rejoined as a matter of right.

The application is believed to be in condition for allowance. A prompt and favorable action on the merits of the application is earnestly solicited.

Dated: December 2, 2005

Respectfully submitted,

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